

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s) Dennis R. Morgan
Case: 13
Serial No.: 10/775,911
Filing Date: February 10, 2004
Group: 2613
Examiner: Christina Y. Leung

Title: Method and Apparatus for Two-Port Allpass Compensation of Polarization
Mode Dispersion

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

- (1) Appeal Brief; and
- (2) Copy of Notice of Appeal, filed on April 5, 2010, with copy of Electronic

Acknowledgement Receipt indicating receipt of Notice by PTO on April 5, 2010.

There is an additional fee of \$540 due in conjunction with this submission under 37 CFR §41.20(b)(2). In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error.


Respectfully,



Kevin M. Mason
Attorney for Applicant(s)
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560

Date: April 30, 2010

Electronic Acknowledgement Receipt

EFS ID:	7351392
Application Number:	10775911
International Application Number:	
Confirmation Number:	1216
Title of Invention:	Method and apparatus for two-port allpass compensation of polarization mode dispersion 
First Named Inventor/Applicant Name:	Dennis R. Morgan
Customer Number:	46303
Filer:	Kevin M. Mason
Filer Authorized By:	
Attorney Docket Number:	Morgan 13
Receipt Date:	05-APR-2010
Filing Date:	10-FEB-2004
Time Stamp:	15:38:35
Application Type:	Utility under 35 USC 111(a)

Payment information:

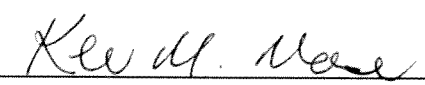
Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		1200-1102_NoticeofAppeal_4-5-10.pdf	182950 <small>1d0816f392a2a8d7824d88865d910c00a579c442</small>	yes	2

Multipart Description/PDF files in .zip description			
Document Description		Start	End
Miscellaneous Incoming Letter		1	1
Notice of Appeal Filed		2	2
Warnings:			
Information:			
Total Files Size (in bytes):		182950	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>			

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) Morgan 13	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _____. Signature _____ Typed or printed name _____		In re Application of Dennis R. Morgan	
		Application Number 10/775,911	Filed February 10, 2004
		For Method and Apparatus for Two-Port All-Pass Compensation of Polarization Mode Dispersion	
		Group Art Unit 2613	Examiner Nathan M. Curs
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ 540.00 (previously paid)	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____.	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0762</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant/inventor.		 Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)			
<input checked="" type="checkbox"/> attorney or agent of record.		Kevin M. Mason Typed or printed name	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____		April 5, 2010 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.